DECLARATION OF CAROL A. SOBEL

I, CAROL A. SOBEL, declare:

1. I am an attorney admitted to practice before the Supreme Court of California and the United States District Court for the Central District of California. This declaration is made based on facts of which I have personal knowledge. If called to testify to those facts, I could and would do so competently.

2. I am counsel for Plaintiff Rex Schellenberg. Over the past three months, I engaged in email and telephone comunications with Asst. City Attorney Gabriel Dermer concerning the City's request for an extension to respond to the Complaint. Following my discussions with Gabriel Dermer, I participated in multiple emails and telephone conferences with Deputy City Attorneys Ruth Kwon and Arlene Hoang after the case was transferred to them earlier this year.

3. Attached at Exhibit 3 is a copy of the email communications between me and Gabriel Dermer in which I advised him that Plaintiff had filed another government claim for the seizure and destruction of his property after the incident set out in the initial government claim. As my email indicates, I forwarded a courtesy copy of the second government claim to Mr. Dermer, who then responded, acknowledging receipt of the second government claim filed on behalf of Plaintiff.

4. Thereafter, the City Attorneys sent a letter, listing what they viewed as procedural deficiencies in the First Amended Complaint and mirroring the arguments set out in their motion to dismiss. Thereafter, on January 31, 2018, the parties met and conferred by telephone on the issues set out in the City's letter. In the course of that telephone conference, the Deputy City Attorneys advanced the claim that Plaintfff had filed an amended complaint rather than a supplemental complaint to avoid paying an additional filing fee. I responded that this assertion was meritless because there was no filing fee required in federal court for anything other than the initial complaint. Moreover, in this instance, the Plaintiff is indigent and could have requested a fee waiver.

5. Submitted with Plaintiff's Opposition at Exhibit 1 is a true and correct

copy of the second government claim submitted on behalf of the Plaintiff and, at Exhibit 2, a copy of the letter from the City acknowledging receipt of the second claim and thassigning it a claim number.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 4th day of March, 2019 at Santa Monica, California.

Carol A. Sobel